

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
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ELECTRONICALLY FILED
DOC #: _____
DATE FILED: 1/30/2023

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CONROY HIBBERT, JR.,

Plaintiff,

-v -

THE CITY OF NEW YORK,

Defendant.

1:22-cv-8257-GHW

ORDER

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GREGORY H. WOODS, United States District Judge:

On October 26, 2022, this Court issued an order that—among other things—directed the New York City Law Department to “ascertain the identity and badge number of each John Doe whom Plaintiff seeks to sue here and the address where the defendant may be served.” Dkt. No. 8 at 4. The New York City Law Department was further directed to “provide this information to Plaintiff and the Court within sixty days of the date of this order.” *Id.* Once that information was provided, Plaintiff would be given thirty additional days to file an amended complaint naming the John Doe defendants. *Id.* at 5.

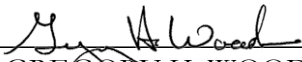
Sixty days after the Court’s October 26, 2022 order was December 25, 2022. However, no information has been filed on the docket concerning the identity and badge number of the John Does in this matter. It is unclear whether such information was ever sent to Plaintiff. Accordingly, no later than February 7, 2023, the New York City Law Department is directed to file a letter on the docket of this case (a) identifying the identity and badge number of each John Doe defendant whom Plaintiff seeks to sue here and the address where the defendants may be served, and (b) stating whether that information has previously been provided to Plaintiff. If that information has *not* already been provided directly to Plaintiff, the New York City Law Department is directed to provide it to Plaintiff concurrently with its provision to the Court (so no later than February 14, 2023). If that information *has* already been provided to Plaintiff, the

New York City Law Department is directed to provide an affidavit attesting to (a) the date on which the information was provided and (b) the means by which it was provided. The Court will evaluate Plaintiff's deadline to file an amended complaint after receipt of a filing by the New York City Law Department in accordance with this order.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore IFP status is denied for the purpose of an appeal. *Cf. Coppedge v. United States*, 369 U.S. 438, 444-45 (1962) (holding that an appellant demonstrates good faith when he seeks review of a nonfrivolous issue). The Clerk of Court is directed to mail a copy of this order to Plaintiff.

SO ORDERED.

Dated: January 30, 2023
New York, New York



GREGORY H. WOODS
United States District Judge